

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Posting Date: June 13, 2008
Petition Date: July 28, 2008
Hearing Date: August 11, 2008

License No.: 79190
Licensee: CulinAerie DC, LLC
Trade Name: CulinAerie
License Class: Retailer's "CX" Multipurpose Facility
Address: 1131 14th Street, NW
Phone No.: 202.296.1000

WARD 2

ANC 2F

SMD 2F03

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 7th Floor, Suite 7200, 941 North Capitol Street, NE, Washington, DC 20002. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Multipurpose Facility with "live theater" format of classes, an instrumentalist playing during dinner groups, various audio/video formats and taping. Occupancy Load is 99.

HOURS OF OPERATION

Monday through Sunday 10am-12am

HOURS OF SALE, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES

Monday through Sunday 10am-12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of the license. Hearings will begin at 10:00 am at 941 North Capitol Street, NE, 7th Floor, Room 7200, Hearing Room.

RENEWAL NOTICE

POSTING DATE 6/13/2008

PETITION DATE 7/28/2008

HEARING DATE 8/11/2008

THE FOLLOWING ESTABLISHMENTS ARE RENEWING THEIR ABC LICENSES:

License #79219	Afrique International, Inc.		
ANC 4C01	Kendejah		
Class Retailer CT 01	5828 Georgia Avenue, NW	No Voluntary Agreement	
<u>Endorsement:</u>			
<u>Hours of Operation</u>	<u>Hours of Sales</u>	<u>Entertainment Hours</u>	<u>Sidewalk Hours</u>
MON 12 pm to 2 am	12 pm to 2 am		
TUE 12 pm to 2 am	12 pm to 2 am		
WED 12 pm to 2 am	12 pm to 2 am		
THU 12 pm to 2 am	12 pm to 2 am		
FRI 12 pm to 3:30 am	12 pm to 3 am		
SAT 12 pm to 3:30 am	12 pm to 3 am		
SUN 12 pm to 2 am	12 pm to 2 am		

License #79238	Bud and Papa, Inc		
ANC 5B06	t/a Bud's Restaurant and Nightclub		
Class Retailer CT03	501 Morse Street, NW		
<u>Endorsement</u>			
<u>Hours of Operation</u>	<u>Hours of Sales</u>	<u>Entertainment Hours</u>	<u>Sidewalk Hours</u>
MON 24 Hours	8 am to 2 am		
TUE 24 Hours	8 am to 2 am		
WED 24 Hours	8 am to 2 am		
THUR 24 Hours	8 am to 2 am		
FRI 24 Hours	8 am to 3 am		
SAT 24 Hours	8 am to 3 am		
SUN 24 Hours	10am to 2 am		

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: June 13, 2008
Petition Date: July 28, 2008
Hearing Date: August 11, 2008

License No.: 74872
Licensee: Penang DC LLC
Trade Name: Penang
License Class: Retailer's "C" Restaurant
Address: 1837 M St., NW
Phone No.: 202-822-8381

WARD 2

ANC 2C

SMD 2C03

Notice is hereby given that this licensee has applied for a substantial change to his license under the D.C. Alcoholic Beverage Control Act and for objectors who are entitled to be heard the granting of such on the hearing date at 10:00 am, 7th floor, Room 7200, 941 North Capitol Street, NE. Petitions and/or requests to appear before the Board must be filed on or before the petition date.

Licensee requests to extend hours of operation and alcoholic sales

Current Hours

Sunday through Saturday, 11am to 2am

Purpose Hours

Sunday through Thursday, 11am to 2am
Friday and Saturday, 11am 3am

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, July 31, 2008, @ 6:30 PM**
 Office of Zoning Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington, D.C. 2001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 08-06-2 (Comprehensive Zoning Regulations Rewrite: Parking)

THIS CASE IS OF INTEREST TO ALL ANCs

This Notice of Public Hearing announces the second of several proposed subject areas the Zoning Commission for the District of Columbia (the "Commission") will consider under this docket. All text offered by the Office of Planning ("OP") under this docket has been reviewed by a working group and a subject matter task force as part of a process designed to ensure full public participation. Nevertheless, this process cannot replace or limit the public hearing process required in the Zoning Act or the Commission's responsibility to consider the merits of each proposal submitted.

This hearing will consider general rules applicable to parking requirements. The proposal outlines the provision of minimum and maximum parking space requirements for new developments. In addition, the proposal sets forth size requirements for spaces and aisles, as well as the maintenance, location, and access regulations for all parking areas. The proposal also sets out requirements for bicycle parking and showering/changing facilities.

This hearing, like all others to follow under this case number, is being scheduled without adherence to the set-down requirements stated at 11 DCMR § 3011 because the Commission waived the requirement at its public meeting held April 14, 2008. The Commission also waived the requirement that a pre-hearing statement be submitted before hearing notices can be published.

The language presented here is conceptual in nature and has not been refined to the level of proposed rulemaking language. Nor has the language been reviewed by the Office of the Attorney General ("OAG") for legal sufficiency. It is, therefore, anticipated that the proposed action on this subject area will involve two decision meetings. At the first meeting, the Commission will, based upon the record before it, accept, reject, modify, or add to the concepts presented herein. At the second meeting, the Commission will review text prepared by OAG and OP that codifies the Commission's determination into a legally sufficient form. If approved, that text will be published as a Notice of Proposed Rulemaking and forwarded to the National Capital Planning Commission for the review period mandated by the District Charter.

Thereafter, the Commission may wait to take final action until after all hearings under this case number are concluded.

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Title 11 DCMR (Zoning) is proposed to be amended as follows:

Vehicle Parking Chapter

P.1 Authority to Require Off –Street Parking

- P.1.1 All buildings or structures erected on or after [Effective Date of Amendment] shall be provided with parking spaces within the standards of § P.2, except as permitted by § P.3.
- P.1.2 After [Effective Date of Amendment], no application for a building permit for a building or structure shall be approved unless there is included with the plans for the building or structure a parking plan showing the location, dimensions, and grades of all parking spaces and approaches thereto in accordance with the provisions of this chapter.
- P.1.3 No certificate of occupancy shall be issued for the use of a building or structure erected on or after [Date of Ordinance] unless the parking spaces have been provided in accordance with the approved building permit's parking plan.
- P.1.4 In the case of a building or structure for which the Zoning Regulations now require more parking spaces than the existing number of spaces provided, the number of parking spaces cannot be reduced except as provided in § P.1.5
- P.1.5 Required parking spaces shall not be reduced in total extent after their provision except upon approval of the Board of Zoning Adjustment and then only after proof that the parking spaces provided are no longer needed by reason of a reduction of employees, seats, gross floor area, dwelling units, or any other standard applicable to the use set forth in the regulations; provided the Board may impose any condition it deems necessary to ensure the addition of parking spaces in case of a subsequent increase in employees, seats, gross floor area, dwelling units, or any other unit of measurement.
- P.1.6 In the case of a building or structure for which the Zoning Regulations now limit the number of parking spaces to fewer than the existing number of spaces provided, the number of parking spaces cannot be increased.
- P.1.7 When the use of a building or structure is changed to another use requiring more parking spaces than required for the use existing immediately prior to the change or, if the building or structure is vacant, the use that existed immediately prior to the vacancy, parking spaces shall be provided for the additional requirement in the amount necessary to conform to the standards of § P.2
- P.1.8 When the intensity of use of a building or structure existing before [Date of Ordinance], is increased by an addition of dwelling units, gross floor area, or other unit of

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measurement specified in § P.2, parking spaces shall be provided for the addition, subject to the following:

- (a) Parking spaces shall not be required for the addition unless the addition increases the intensity of use of the building or structure by more than twenty-five percent (25%) of the aggregate.
- (b) The determination of the increase of intensity of use shall be based on the total increase in intensity of use the structure undergoes on or after [Date of Ordinance], whether the total increase occurs at one time or in successive stages.

P.1.9 [Historic Structures]

P.1.10 Detailed plans for new parking shall be submitted to the D.C. Department of Transportation for review of new curb cuts and driveway openings to ensure that compliance with these regulations does not conflict with Department's standards for public space [Reference DDOT standards].

P.2 Schedule of Requirements**P.2.1 Minimum Parking Requirements**

USES	NUMBER OF PARKING SPACES REQUIRED
Low Density Residential Districts (currently R-1 & R-2)	
<u>All Non-residential uses:</u>	1 for each 1000 ft. ² of gross floor area and cellar floor area
Moderate Density Residential Districts (currently R-3 to R-5-B)	
<u>All Non-residential uses:</u>	1 for each 1000 ft. ² of gross floor area and cellar floor area
Commercial Corridor Districts (currently C-2)	
<u>Retail, Office, Restaurant or Service Uses:</u>	In excess of 3,000 ft. ² , 1 for each additional 300 ft. ² of gross floor area and cellar floor area

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USES	NUMBER OF PARKING SPACES REQUIRED
TOD Districts	
<u>All Uses:</u>	None

P.2.2 Any use or district not listed in § P.2.1 is not required to provide parking spaces.

P.2.3 Parking spaces required by § P.2.1 need not be provided if adopted public law, municipal regulation, or the D.C. Department of Transportation prohibits a curb cut on the street that the lot faces and there is no other alternative access to the lot through a street or alley.

P.2.4 The parking spaces required by this chapter shall be provided and maintained so long as the structure that the parking spaces are designed to serve exists.

P.2.5 Maximum Parking Requirements

USES	MAX NUMBER OF PARKING SPACES ALLOWED
Medium & High Density Residential Districts (currently R-5-C to R-5-E)	
<u>Apartment house, multi unit residential building:</u>	[To be determined]
Low and Moderate Density Commercial Districts (currently C-2)	
<u>Retail, Restaurant and Service uses:</u>	[To be determined]
<u>Office use:</u>	[To be determined]
Medium & High Density Commercial Districts (currently C-3 and above)	
<u>Retail, Restaurant and Service uses:</u>	[To be determined]
<u>Office use:</u>	[To be determined]

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USES	MAX NUMBER OF PARKING SPACES ALLOWED
Industrial Districts	
[To be determined]	[To be determined]
[To be determined]	[To be determined]
TOD Districts	
[To be determined]	[To be determined]
[To be determined]	[To be determined]
All other districts	
[To be determined]	[To be determined]
[To be determined]	[To be determined]

P.2.6 Any development proposing new parking with 50 or more spaces shall make parking spaces available to any car share company at the rate of one space plus one for every 100 spaces over 50. Spaces shall be available in perpetuity to any car share company with 90 days notice.

P.2.7 Parking spaces provided for car share companies under § P.2.6 or otherwise used by car share companies do not count toward the maximum number of spaces.

P.3 Flexibility in Parking Requirements

P.3.1 Two or more non-residential uses within 400 feet of existing or proposed parking may share required parking provided:

- (a) The request is accompanied by a signed agreement between the owners of both uses confirming shared use of parking for a period of no less than ten years and submitted to the Zoning Administrator;
- (b) The uses have different time of day requirements for parking and the distribution of spaces by day of the week and time is clear in the agreement;

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- (c) A parking study showing no negative impacts is submitted following the requirements of § P.3.6;
 - (d) The applicant shall negotiate the renewal of any agreement prior to its expiration and provide copies of the agreement to the Zoning Administrator; and
 - (e) The applicant shall immediately notify the Zoning Administrator either before any amendment to or upon termination of the agreement.
- P.3.2 Subject to DDOT review, a development may provide up to 50% fewer parking spaces than the minimum required provided that a contribution at the rate set by DDOT is made to [DDOT transportation fund] for every space under the limit. [contribution rate to be set roughly at 20% less than the cost of a parking space]
- P.3.3 Subject to DDOT review, a development may provide up to 50% more spaces than the maximum allowed provided that a contribution at the rate set by DDOT is made to [DDOT transportation fund] for every space over the limit. [contribution rate to be set roughly at 20% less than the cost of a parking space]
- P.3.4 Development may only deviate from the required number of spaces by more than 50% when approved by the BZA as a variance under [variance section]. The contribution required by P.3.2 or P.3.3 still applies to the first 50%.
- P.3.5 Variance relief by the Board of Zoning Adjustment under the provisions of § P.3 is subject to DDOT's review and finding of no significant adverse impact of an applicant's parking study meeting the requirements of § P.3.7.
- P.3.6 A parking study shall be required when any of the following occurs:
- (a) A development proposes to use shared parking to satisfy the parking requirements of § P.2.1.
 - (b) A development proposes to use parking spaces not immediately accessible to the proposed development, including not within 200 feet of the development, or separated by a street or alley.
 - (c) A development seeks variance relief under § P.3.5.
 - (d) The Director of the District Department of Transportation requests a parking and/or traffic study due to unusual circumstances on or near a site.

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P.3.7 The contents of a parking study shall include but not be limited to:

- (a) A map showing the location and number of spaces and the on street and off-street parking within the defined study area;
- (b) Site surveys conducted on different days and times or seasons;
- (c) Quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood that can reasonably accommodate shared parking when the building or structure is in use;
- (d) Proximity to Metrorail stations or public transportation service in the area.
- (e) For shared parking, a description of each use including detailed calculation of its required or allowed parking, peak hours of parking demand for each use and an inventory of existing spaces on the site.
- (f) If the applicant relies on a TDM program, the applicant shall demonstrate to the Board that the program shall continue as long as the use continues.
- (g) Any other information requested by DDOT.

P.4 Size of Parking Spaces and Aisles

P.4.1 Except as otherwise provided in this section, automobile parking shall meet the size requirements of the following tables, exclusive of access drives, aisles, ramps, columns, office or work areas. Parking shall also be in compliance with the requirements of the ADA Requirements of the District of Columbia Architectural Barriers Act of 1980, effective July 1, 1980 (D.C. Law 3-76; 12 DCMR art. 15)

Table I : FULL SIZED CAR SPACES

Parking Angle	Stall Width (Feet)	Depth of Stalls Perpendicular To Aisle (Feet)	One-Way Aisle Width (Feet)	Two-Way Aisle Width (Feet)
45°	9	17.5	12.0	N/A
60°	9	19.0	14.0	N/A
90°	9	18.0	16.0	24.0
Parallel	22.0	8.0	12.0	24.0

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Table II : COMPACT CAR SPACES

Parking Angle	Stall Width (Feet)	Depth of Stalls Perpendicular To Aisle (Feet)	One-Way Aisle Width (Feet)	Two-Way Aisle Width (Feet)
45°	8	16.5	12.0	N/A
60°	8	17.0	14.0	N/A
90°	8	16.0	16.0	24.0
Parallel	20.0	8.0	12.0	24.0

- P.4.2 Any parking area or garage containing ten or more parking spaces may designate up to fifty percent (50%) of the parking spaces for compact cars.
- P.4.3 All parking shall be striped according to the requirements of §§ P.5.4 and P.6.6.
- P.4.4 Parking spaces shall be visibly marked as “compact car” or “small car” parking spaces.
- P.4.5 Except as provided in § P.4.6, all parking spaces shall have a minimum vertical clearance of six feet, six inches (6 ft., 6 in.).
- P.4.6 Where one hundred (100) or more parking spaces are provided, whether the spaces are required or not and whether the spaces are a principal use or an accessory use, at least five percent (5%) of the parking spaces shall have a minimum vertical clearance of seven feet, two inches (7 ft., 2 in.).
- P.4.7 All parking spaces requiring the seven foot, two inch (7 ft., 2 in.), vertical clearance shall be clearly marked for “Van Parking Only.”
- P.4.8 All entrances, exits, access aisles, ramps, and driveways providing access to parking spaces shall have the minimum vertical clearances as prescribed in §§ P.4.5 and P.4.6, respectively.
- P.4.9 The provisions of § P.4 shall not apply to mechanized and automated parking facilities.
- P.5 Access to Parking Areas**
- P.5.1 Where an improved alley exists, all parking areas shall be accessed from the rear of the building through an improved alley.
- P.5.2 If the building does not have alley access then parking areas shall be accessed from a secondary street [as identified by DDOT].

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P.5.3 If the building does not have alley or secondary street access then parking access may be from the front of the building provided that the D.C. Department of Transportation grants permission for a curb cut from the adjacent street.

P.5.4 A driveway [open to sky] that provides access to a parking garage or surface parking shall meet the following standards:

- (a) It shall have a maximum grade of not more than twelve percent (12%) with a vertical transition at the property line;
- (b) A driveway serving a garage for a one-family dwelling or flat or that otherwise serves only one parking space shall be a minimum of seven feet (7 ft.) in width;
- (c) A driveway serving a garage for any use other than a one-family dwelling or flat or serving more than one (1) parking space shall be as follows:
 - (1) A minimum of sixty feet (60 ft.) from a street intersection as measured from the intersection of the curb line extended;
 - (2) A minimum of twelve feet (12 ft.) in width if designed for one-way circulation or fourteen feet (14 ft.) if designed for two-way circulation; and
 - (3) A maximum of twenty-five feet (25 ft.) in width.
- (d) A driveway that provides access directly from a street to a row dwelling or a flat shall be a minimum of twenty-eight feet (28 ft.) from all adjacent driveways that provide access directly from a street to a row dwelling or a flat, as measured from the nearest edge of each such driveway opening.

P.6 Parking Garages: Location, Maintenance, and Operation

P.6.1 A parking garage may be located as follows:

- (a) As an accessory building in any district subject to the general provisions for accessory buildings as specified in § [accessory building section]; and
- (b) Within the principal building; provided that:
 - (1) The entrance or exit to the garage shall be accessible and, when it opens onto an alley, the entrance or exit shall be set back at least twelve feet (12 ft.) from the center line of the alley; and

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- (2) That portion of the garage beneath a side yard or rear yard, shall not obstruct required light and ventilation and shall be designed so that the area above it can be used for an unobstructed level open terrace.

- P.6.2 A parking garage erected, altered, converted, or reconstructed as a principal use shall have no vehicular entrance or exit nearer than sixty feet (60 ft.) to a street intersection as measured from the intersection of the curb lines extended. The entrance or exit to the garage shall be accessible and, when it opens onto an alley, the entrance or exit shall be set back at least twelve feet (12 ft.) from the center line of the alley.
- P.6.3 The entrance to each garage shall be accessible at all times from directly improved alleys with a minimum width of ten feet (10 ft.) or improved public streets via graded and unobstructed private driveways that form an all-weather surface.
- P.6.4 All non-mechanical parking spaces shall be clearly striped and lined according to the dimensions specified in § P.4. Durable materials that are all-weather shall be used. Striping shall be maintained for as long as the parking spaces requiring the striping are in existence.
- P.6.5 Except for an entrance drive, parking on the main level of any building must be separated from street frontage by another use.

P.7 Surface Parking: Location, Access, Maintenance, and Operation

- P.7.1 All surface parking spaces shall be located as follows:
- a) to the rear of the principal building [OR: within a rear yard]; or
 - b) within a sideyard, provided that the parking spaces are screened so as to not be visible from public right-of-way.
- P.7.2 No parking spaces shall be located between a building face and a lot line abutting a street.
- P.7.3 In the case of a corner lot, no parking spaces shall be located in the side yard opening onto the street that has the higher DDOT classification. Where both streets have the same classification, parking may face either street, but not both, and must be screened so as to not be visible from the right-of-way.
- P.7.4 The Board of Zoning Adjustment may approve parking spaces located elsewhere than allowed in P.6.1 through P.6.3 by special exception provided that they find that it is not practical to locate the spaces in accordance with P.7.1 through P.7.3 for the following reasons:

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- (a) Unusual topography, grades, shape, size, or dimensions of the lot;
- (b) The lack of ability to adequately access the rear of the lot; or
- (c) The location of required spaces elsewhere would result in more efficient use of land, better design or landscaping, safer ingress or egress, and less adverse impact on neighboring properties and pedestrian facilities.

- P.7.5 For the purposes of § P.6.4, the Board may impose conditions on any accessory or non-accessory parking spaces as to screening, coping, setbacks, fences, the location of entrances and exits, or any other requirement it deems necessary to protect adjacent or nearby property. It may also impose other conditions it deems necessary to assure the continued provision and maintenance of the spaces.
- P.7.6 All surface parking spaces shall be clearly striped and lined according to the dimensions specified in § P.4. Durable materials that are all-weather shall be used. Striping shall be maintained for as long as the parking spaces requiring the striping are in existence.
- P.7.7 Each parking space, except for spaces accessory to service stations and police facilities, shall be accessible at all times from directly improved alleys with a minimum width of ten feet (10 ft.) or improved public streets via graded and unobstructed private driveways that form an all-weather surface.
- P.7.8 The public rights-of-way as well as private walkways and driveways shall be protected from vehicular encroachment from all parking spaces by wheel bumper guards, curbs, guard rails, or screening between the property line and the perimeter of the parking area. Parking shall be designed so that no vehicle or any part thereof shall project over any lot line or building line.
- P.7.9 All areas devoted to driveways, access lanes, and parking shall be surfaced and maintained with an all-weather surface. In addition to traditional impervious surfaces, allowable all weather surfaces include porous (or pervious) concrete, porous asphalt, and/or mechanically-reinforced grass, excluding grass or gravel.
- P.7.10 No other use shall be conducted from or upon the premises, and no structure other than an attendant's shelter shall be erected or used upon the premises unless the use or structure is otherwise permitted in the district in which the parking lot is located.
- P.7.11 Any lighting used to illuminate a parking lot or its accessory buildings shall be arranged so that all direct rays of the lighting are confined to the surface of the parking lot.

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P.7.12 The parking lot shall be kept free of refuse and debris. Parking areas serving retail uses and restaurants shall provide at least one outdoor litter receptacle within the parking area.

P.7.13 Any surface parking with six (6) or more spaces shall be subject to the following landscaping and screening requirements:

- (a) Landscaping shall cover a minimum of ten percent (10%) of the total area devoted to parking, including aisles and driveways. The landscaping shall be maintained in a healthy, growing condition.
 - (b) For each five (5) spaces the parking lot shall contain one canopy tree [from an approved DDOT list]. Trees located within five feet (5') of the outside edge of the parking lot shall only count as half of one tree for the purposes of this section. Existing trees on the lot (excluding any existing street trees) that have a minimum caliper size of 2.5 inches may be counted as two trees toward satisfying this requirement if such trees are preserved and adequately protected through all phases of construction.
 - (c) All newly planted trees must have a minimum caliper size of 2.5 inches and must be planted in a space that provides a minimum of 500 cubic feet of soil volume per tree.
 - (d) In order to prevent injury from vehicle bumpers, trees shall be planted a minimum of four (4) feet from any protective barrier, such as curbs or wheel stops. When landscaped areas are located adjacent to vehicle overhangs, all attempts should be made to plant trees in line with the side stripes between parking spaces.
 - (e) All end islands of parking rows and all areas otherwise not used for ingress and egress, aisles and parking must be landscaped.
 - (f) Spaces shall be screened from all contiguous residential property located in [low & moderate density residential zones] by a solid brick or stone wall at least twelve inches (12 in.) thick and forty-two inches (42 in.) high or by evergreen hedges or evergreen trees that are thickly planted and maintained and that are at least forty-two inches (42 in.) in height when planted.
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Bicycle Parking Chapter

BP.1 Authority to Require Bicycle Parking Spaces

BP.1.1 All buildings or structures erected on or after [Date of Ordinance] shall be provided with bicycle parking spaces within the standards of Section BP.2, except as permitted by Section BP.7.

BP.1.2 No application for a building permit for a building or structure to be erected on or after [Date of Ordinance] shall be approved unless there is included with the plans for the building or structure a parking plan showing the location and dimensions of all bicycle parking spaces and approaches thereto in accordance with the provisions of this chapter.

BP.1.3 No certificate of occupancy shall be issued for the use of a building or structure erected on or after [Date of Ordinance] unless the bicycle parking spaces have been provided in accordance with the approved building permit's parking plan.

BP.1.4 In the case of a building or structure for which the Zoning Regulations now require more bicycle parking spaces than were required when the building or structure was built, the number of parking spaces cannot be reduced.

BP.1.5 When the use of a building or structure is changed to another use that requires more parking spaces than required for the use existing immediately prior to the change or, if the building or structure is vacant, the use that existed immediately prior to the vacancy, parking spaces shall be provided for the additional requirement in the amount necessary to conform to § BP.2.

BP.1.6 When the intensity of use of a building or structure existing before [Date of Ordinance], is increased by an addition of employees, dwelling units, gross floor area, seating capacity, or other unit of measurement specified in § BP.2, parking spaces shall be provided for the addition, subject to the following:

- (a) Parking spaces shall not be required for the addition unless the addition increases the intensity of use of the building or structure by more than twenty-five percent (25%) of the aggregate.
- (b) Parking spaces for the addition need not exceed the amount of parking spaces that would be required for the entire structure as proposed if constructed new.
- (c) The determination of the increase of intensity of use shall be based on the total increase in intensity of use the structure undergoes on or after [Date of Ordinance], whether the total increase occurs at one time or in successive stages.

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BP.1.8 Detailed plans for new parking shall be submitted to the D.C. Department of Transportation for approval of new curb cuts and driveway openings to ensure compliance with these regulations does not conflict with the responsibility of the Department to protect safety in public space.

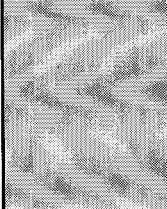
BP.2 Schedule of Requirements**BP.2.1 Minimum Bicycle Parking**

Use Categories	Specific Uses	Required Bicycle Parking	
		Class A	Class B
Residential (9 or more units)	Multi-Unit Dwelling	1 for each 3 units	1 for each 20 units, min 2
	Community-Based Residential Facility	1 for each 20 residents, min 2	None
	Campus-Affiliated Housing not approved as part of campus plan	1 for each 8 residents	1 for each 20 residents, min 2
	Publicly Assisted Housing	1 for each 3 units	1 for each 20 units, min 2
	Rooming or Boarding House	1 for each 3 bedrooms, min 2	None
Commercial (5,000 SF of GFA or greater)	Office	1 for each 10,000 SF of GFA, min 2	1 per 40,000 SF of GFA, min 2
	Retail/ Service	1 for each 10,000 SF of GFA, min 2	2 for each 5,000 SF of GFA
	Dining and Entertainment	1 for each 10,000 SF of GFA, min 2	1 for each 10,000 SF of GFA, min 2
	Hotel or Inn	2 for each 50 hotel units	2 for each 50 hotel units
	Parking	None	1 for each 20 auto spaces, min 10
	Outdoor Recreation	None	1 for each 20 auto spaces, min 10
Industrial	Manufacturing	1 for each 15,000 SF of GFA, min 2	None
	Warehouse and Freight	1 for each 40,000 SF of GFA, min 2	None
	Non-Accessory Parking	None	1 for each 20 auto Spaces, min 10
Institutional	Transit Centers	None	8
	Park and Ride	None	1 for each 20 auto spaces, min 10
	School - K-5	1 for each grade served	1 for each grade served
	School 6-12	1 for each grade served	1 for each classroom
	Colleges	Per campus plan	

Z.C. NOTICE OF PUBLIC HEARING

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Use Categories	Specific Uses	Required Bicycle Parking	
		Class A	Class B
	Hospitals	1 for each 70,000 SF of GFA, min 2	1 for each 40,000 SF of GFA, min 2
	Houses of Worship	None	1 for each 10,000 SF of GFA, min 2
	Daycare	None	1 for each 5,000 SF of GFA, min 2

BP.2.2 If a development contains more than one use as listed in Figure 2, the total number of bicycle spaces shall be the sum of the bicycle spaces required for the various uses calculated separately. A bicycle space required for one use shall be deemed not to meet the requirement for any other use in that development. For the purposes of this document, a development refers to a location, site, property, set of buildings, etc. at which parking is shared.

BP.2.3 Where the calculation of total required bicycle spaces results in a fractional number, the nearest whole number shall be taken, unless specified otherwise in Figure 2.

BP.2.4 No bicycle parking is required for a non-residential use with less than 4,000 square feet of gross floor area or a residential use with fewer than 9 units.

BP.3 Class A Bicycle Spaces

BP.3.1 Class A bicycle parking must be provided in a locked room or area enclosed by a floor-to-ceiling fence with a locking door or gate or within bicycle lockers. All facilities must be located within a building or covered, private parking area.

BP.3.2 Where required bicycle parking is provided in a bicycle room, the room shall have solid walls. All of the interior of the bicycle room shall be visible from the entry door. A motion-activated security light enclosed in a tamper-proof housing shall be provided in each room.

BP.3.3 Where required parking is provided in an enclosed area, the area shall be composed of floor-to-ceiling fencing and securable doors.

BP.3.4 Where required bicycle parking is provided in lockers, the lockers must be securely anchored.

BP.3.5 Required Class A spaces must be located no lower than the first cellar level, or complete parking level below grade. Spaces must be available for employees, residents, and other long-term building tenants.

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BP.3.6 Spaces must be independently accessible by means of an aisle of a minimum width of 48 inches and a minimum vertical clearance of 75 inches. A minimum of 50 percent of the required Class A bicycle spaces shall provide for the bicycles to be placed horizontally on the floor or ground. Vertical bicycle space racks shall support the bicycle without the bicycle being suspended.

BP.3.7 Required Class A bicycle spaces shall have a minimum vertical clearance of 75 inches, shall be a minimum of 24 inches in width and shall be:

- (a) a minimum of 72 inches in length if the bicycles are to be placed horizontally; or
- (b) a minimum of 40 inches in length if the bicycles are to be placed vertically.

BP.4 Class B Bicycle Spaces

BP.4.1 The area devoted to bicycle parking must be hard surfaced.

BP.4.2 Required Class B bicycle spaces shall be provided in a convenient, well-lit location that provides visual surveillance by occupants of the building the spaces are intended to serve. If the spaces are not readily visible to visitors to a site, directional signage to the racks shall be provided. Required Class B bicycle parking spaces must be available for shoppers, customers, commuters, messengers, and all other visitors to the site.

BP.4.3 If required bicycle parking is not visible from the street or main building entrance, a sign must be posted at the main building entrance indicating the location of the parking.

BP.5 General Space Requirements

BP.5.1 The minimum dimensions for all bicycle lockers used to provide required bicycle spaces are 24 inches in width at the door end; 8 inches in width at the opposite end; 72 inches in length; and 48 inches in height.

BP.5.2 Where required bicycle parking is provided as racks, the racks must meet the following standards:

- (a) The bicycle frame and one wheel can be locked to the rack with a high security, U-shaped shackle lock if both wheels are left on the bicycle;
- (b) A bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components;
- (c) Racks shall provide a minimum clearance width of 12 inches for each bicycle; and

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(d) The rack must be securely anchored.

BP.5.3 Each required bicycle parking space must be accessible without moving another bicycle.

BP.5.4 There must be an aisle at least 5 feet wide behind all required bicycle parking to allow room for bicycle maneuvering.

BP.5.5 Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way.

BP.6 Changing Facilities – Showers and Lockers

BP.6.1 Buildings requiring Class A spaces with greater than 50,000 square feet of non-residential use must provide a minimum of one (1) shower per gender shall be installed for every 50,000 square feet, or fraction thereof, of Gross Floor Area (GFA) above the first 50,000 square feet, up to a maximum of three (3) showers per gender.

BP.6.2 Where Class A bicycle spaces are required for a non-residential use, a minimum number of clothing lockers equal to 0.3 times the minimum number of required Class A spaces shall be provided for each sex, and shall be a minimum of 12" wide, 18" deep, 36" high, and shall be available for use on a 24 hour basis. Lockers shall be installed adjacent to the showers in a safe and secured area.

BP.7 Flexibility

BP.7.1 Where it can be demonstrated that providing bicycle parking spaces or changing facilities required under this subsection is not physically practical, that undue economic hardship would result from strict compliance with the regulation, or that the nature of the building use is such that bicycle parking spaces would not be used, the BZA may grant a [special exception], in conjunction with the payment of a fee into a District of Columbia Department of Transportation managed "Bicycle Parking Fund." DDOT shall maintain an annually updated fee to serve in lieu of each required Class A and Class B space not built.

PROCEDURES

The public hearing on this part of Case No. 08-06 will be conducted as a rulemaking in accordance with the provisions of § 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning. The Commission will impose time limits on testimony presented to it at the public hearing.

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All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

Information should be forwarded to the Secretary of the Zoning Commission, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. Please include the number of the particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, CURTIS L. ETHERLY, JR., GREGORY N. JEFFRIES, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: Monday, July 28, 2008, @ 6:30 P.M.
 Office of Zoning Hearing Room
 441 4th Street, N.W. Suite 220-S
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 08-12 (Zoning Consistency Case to Rezone of Portions of Ward 8 from the R-5-A Zone to R-2, R-3, or R4 Zones). – Map Amendments

THIS CASE IS OF INTEREST TO ANCs 8A, 8B, 8C, 8D, and 8E

The Office of Planning (“OP”), in a report dated May 2, 2008, petitioned the Zoning Commission for a map amendment to rezone certain squares or portions of squares within Ward 8 (“subject area”) from the R-5-A Zone District to the R-2, R-3, or R4 Zone Districts. The Zoning Commission set the case down for a public hearing at its regularly scheduled public meeting held on May 12, 2008. The OP report served as the pre-hearing submittal for the case.

The Zoning Commission waived the requirement of 11 DCMR § 3014.3 that the petitioner post the street frontage of each square affected by the rezoning proposal with a notice of the public hearing.

After the case was set down, OP withdrew its request to rezone Squares 5934, 5722, 5725, and 5817. OP also discovered an inconsistency in its report. According to OP, the chart listing the properties to be rezoned omitted certain properties located in Square 5973 that were shown on the map attached to the report showed as being subject to the proposed rezoning. OP intended to include these properties in its rezoning request. The Zoning Commission will indicate at the beginning of the hearing whether it accepts OP’s request to withdraw Squares 5934, 5722, 5725, and 5817, and will indicate whether the additional properties in Square 5973 are included in its rezoning case.

The subject area is characterized by detached, semi-detached, and row dwellings with some small apartment buildings. There are a number of vacant sites remaining throughout the area and the proposed amendment would continue to allow such sites to be developed with detached, semi-detached and row structures, to match the predominant neighborhood character.

The proposed zone map amendment would include specified properties within the following squares and portions of squares:

SQUARES OR PORTIONS OF SQUARES ZONED R-5-A AND INCLUDED IN THE PROPOSED MAP AMENDMENT	PROPOSED ZONES
5724, 5761, 5763, 5898, 5899, 5900, 5920, 5928, 5935, 5936, 5937, 5938, 5939, 5941, 5942, 5943, 5944, 5945, 5946, 5957, 5973, 6093, 6094, 6118, 6119, 6149, 6162, 6163, 6164, 6165, 6166, 6167, 6168, 6239, 6239S, and 6240.	R-2
5726, 5727, 5728, 5729, 5729W, 5730, 5734, 5740, 5755, 5777, 5778, 5824, 5842, 5844, 5892, 5895, 5901, 5920, 5921, 5922, 5923, 5981, 5982, 5983, 5984, 5985, 5994, 5995, 5996, 5997, 5998, 5999, 6000, 6001, 6116, 6117, 6125, 6126, 6128, 6128N, 6129, 6151, 6153, 6154, 6208, 6209, 6210, 6211, 6212, 6213, 6249, 6250, 6254, 6271, and 6277.	R-3
5786, 5787, 5788, 5790, 5812, 5905, 5924, 6123, 6157, 6158, 6159, and 6160.	R-4

A complete description of the properties included in this rezoning case is attached to the end of this notice. The description includes the properties OP requested to remove from its petition in the event the Zoning Commission does not grant the Office of Planning's request. The description also includes those properties that were omitted from the chart included with the OP report, but depicted on the map.

The R-5-A Zone District is a general Residence District designed to permit flexibility of design by permitting all types of urban residential development. In R-5-A Districts, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions. In the R-5-A district there is no minimum lot area. Floor area ratio is limited to a maximum of 0.9.

The R-2 Zone District permits semi-detached dwellings and one-family detached dwellings. The minimum lot area is 3,000 square feet for semi-detached dwellings, and 4,000 square feet for detached dwellings.

The R-3 Zone District allows row dwellings, semi-detached dwellings, and detached dwellings. The minimum lot area is 2,000 for row dwellings, 3,000 square feet for semi-detached dwellings, and 4,000 square feet for detached dwellings.

The R-4 Zone District also permits row dwellings, semi-detached dwellings, and detached dwellings. The R4 district also allows flats, and permits the conversion of certain buildings to apartment buildings. The minimum lot area is 1,800 for row dwellings, 3,000 square feet for semi-detached dwellings, and 4,000 square feet for detached dwellings. A converted building must have 900 feet of lot area for each unit.

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, D.C. Official Code § 6-641.01, *et seq.*

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of § 3021 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to that section, the Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

Information should be forwarded to Sharon Schellin, the Secretary of the Zoning Commission, Office of Zoning, Suite 200-S, 441 4th Street, N.W., Washington, D.C., 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, GREGORY N. JEFFRIES, CURTIS L. ETHERLY, JR, MICHAEL G. TURNBULL, AND PETER G. MAY, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

ADDENDUM TO HEARING NOTICE

Legend: Squares shown with an asterisk are those that OP seeks to withdraw from its petition.

Square	Lots	Proposed
5724 (all)	801	R-2
5761 (part)	15, 16, 40, 41, 800-803	R-2
5763 (part)	806-840, and parcel 219/0142	R-2
5898 (part)	33-42, 45-48, and 55-95	R-2
5899 (all)	16-20, and 24-87	R-2
5900 (part)	30-61, 64-120, and 807	R-2
5920 (part)	70-92, 106-144, and 146-195	R-2
5928 (part)	43-63, 65-90, and 92-119	R-2
*5934 (all)	14-18, and 802	R-2
5935 (all)	10-21	R-2
5936 (part)	26-48	R-2
5937 (part)	27, 29-34, 38-49, 53-58, 800, 805-808, 810, 811, 822, and 825-826	R-2
5938 (all)	66-78, 86-96, 804, 814, 831-833, 836-838, 840, 842-846, and 848-860	R-2
5939 (all)	13, 14, 75, and 801-804	R-2
5941 (all)	10, and 801-805	R-2
5942 (all)	31, 33, 36, 816-822, and 824-826	R-2
5943 (all)	11, 31-35, 812, 814, 816, 819-821, and 823-828	R-2
5944 (all)	7, 30-37, and 810-813	R-2
5945 (all)	4-7, 25-31, 804, 806, 808, 810, 812, and 813	R-2
5946 (all)	2-9, 16-43, 48-77, 803, 805, 826, 827, and 832	R-2
5957 (part)	16-26, 40-42, 45-63, 67, and 70-98	R-2
5973 (part)	17, and R5A portions of lots 18-20 (these properties are split zoned)	R-2
6093 (part)	1-3, 57-59, 61, 62, 803, 808, and 812	R-2
6094 (part)	3, 4, 31-33, 37-42, 44, and 803	R-2
6118 (part)	5-7, 44, and 9-21	R-2
6119 (part)	2, and 17-20	R-2
6149 (part)	18-27, 40-45, 49, 50, 801, and 802	R-2
6162 (all)	810 and 811	R-2
6163 (all)	32-41, 45, 46, 54-90, 126, 127, 802, 806, 808-817, 828, and 829	R-2
6164 (all)	42-78, 88-97, 124, 823, and 824	R-2
6165 (all)	21-30, 37-40, 43-51, 57, 59, 804-809, and 2001-2008	R-2

Square	Lots	Proposed
6166 (all)	1-4, 11-20, 39, 40, 42-46, 800, and 802-806	R-2
6167 (part)	12-21, 34-42, 52, 53, 800, 801, and 804-806.	R-2
6168 (part)	3, 34-36, 41-44, 821, 825-830, 833, 834, 840, and 842-844	R-2
6239 (part)	57-68, 70-72, 74-76, 78-94, 803, 804, 2005-2014	R-2
6239 S (part)	1-4, 6, 9-13, 15, 16, 19-24, 27-29, 34-36, 2001-2008, and 2019-2028	R-2
6240 (part)	65-69, 54-63, and 815	R-2
*5722 (part)	67-86	R-3
*5725 (part)	6-10, and 802	R-3
5726 (part)	27-42	R-3
5727 (all)	4, 5, 43-49, 64-70, 73, 74, 78-83, 92-97, 136, 149-198, 806, 811, 813, 814, and 816	R-3
5728 (part)	17-46, and 50-57	R-3
5729 (all)	39-43, 47, 48, 50-59, and 2001-2004	R-3
5729 W (all)	1-8, 12, and 800-805	R-3
5730 (part)	47, 48, 150, 175-185, 196-199, 200, 201, and 920	R-3
5734 (part)	4-8, 33-36, 803, 811-813, 815, 819, and 820	R-3
5740 (part)	193-197, 201-207, 215-218, 224-231, 235-244, 247-248, 250-253, 256-269, 272, 277-294, 298-304, 309-333, 335-348, 829, 833, 842, and 852	R-3
5755 (part)	26, 27, 38-43, 46-57, 121, 128-137, 140-151, 817, 826, and 835	R-3
5777 (part)	533, 534, 628-630, 711, 805, 806, 809, 810, 824, and 1024	R-3
5778 (part)	82-86, 160, 816, 819, 820, 822, 824, 825, 831-834, 836, 838, and 842	R-3
5824 (all)	51-60, 803, and 804	R-3
5842 (part)	15-21	R-3
5844 (part)	6, 7, 20, and 24-35	R-3
5892 (all)	2-21, 42-114, 120, and 125	R-3
5895 (part)	1-20, 35-46, and 49-56	R-3
5901 (part)	26-29	R-3
5920 (part)	70-92	R-3
5921 (part)	802-833, 835-906, and 919-936	R-3
5922 (all)	92-154	R-3
5923 (all)	12-58	R-3
5981 (all)	1-8	R3
5982 (all)	1-9, 20, and 22-38	R-3
5983 (part)	12, 22-31, 40, 41, 43-50, 808, 811, 815, 816, and 2001-2004	R-3
5984 (part)	11-19, 23, 31-38, 41-50, and 800-804	R-3
5985 (all)	15-26, 35-50, 812, 813, 815, 817, 818, 820, 821, 823, and 824	R-3
5994 (all)	4-48, and 801	R-3

Square	Lots	Proposed
5995 (all)	1, 4, 5, 23-27, 32, 33, 37-70, and 802-805	R-3
5996 (all)	1, 2, 5-12, 23-26, 34-48, 50-54 802, 805, and 806	R-3
5997 (all)	2, 9, 23-36, 39-50 and 801-803, and 805-811	R-3
5998 (all)	801-850	R-3
5999 (all)	2-5, 14, 15, 19-26, 28, 30-41, 805, and 806	R-3
6000 (all)	5-8, 10-24, and 810	R-3
6001 (part)	2-32, 36-45, 50-57, 59, 803, 806, 808-810, 819, and 820	R-3
6116 (all)	1-3, 8, 26-29, 37, 38, 44-52, 55-65, 806, 809, 801, 811, and 813-820	R-3
6117 (part)	1-10, 40-50, 53-57, 809, 812, and 813	R-3
6125 (part)	1-18, and 2001-2005	R-3
6126 (part)	1-29, 31-62, 65, 803, and 2001-2005	R-3
6128 (part)	25, 26, 53-55, 63, 64, 70-73, 77, 808, 813, 815, 816, 818, 822-824, 825-829, and 832-834	R-3
6128N (part)	36, 37, 42-52, 54, 55, 803, 804, and 807	R-3
6129 (part)	60-63, 71, 83, 84, 800-802, 814-818, 821, 823, 824, and 2001-2005	R-3
6151 (part)	10, 11, 23, 36-41, 803-806, 809, and 811-814	R-3
6153 (all)	3-6, 19, 22-25, 34-40, 60, 63, 64, 70, 72, 73, 78, 79, 802, 804-809, 815, and 2001-2005	R-3
6154 (all)	27, 38-43, 46-49, 64, 69, 803, 805, 809, 811-817, 2001-2028	R-3
6208 (part)	36-44, 47-58, 806, 830, and 831	R-3
6209 (all)	1-18, and 28-31	R-3
6210 (part)	824, 825, 837, and 838	R-3
6211 (all)	1-49	R-3
6212 (all)	1-61	R-3
6213 (all)	1-20	R-3
6249 (part)	801-815, and 887	R-3
6250 (all)	1-16, 19-41, and 803	R-3
6254 (part)	4-27	R-3
6271 (part)	17-26	R-3
6277 (all)	1-36	R-3
5786 (all)	21-24, 28-36, 800, and 801	R-4
5787 (all)	30-41, 808, 812, and pcd 231/0019	R-4
5788 (part)	8-15, 69, and 817	R-4
5790 (part)	15, 16, 21-24, 29-31, 36-38, 801, 802, 821, and 822	R-4
5812 (part)	9, 10, 13-22, 105-116, 800, 805-807, and 2001-2024	R-4
*5817 (part)	37 and 803	R-4
5905 (all)	1-99	R-4

Square	Lots	Proposed
5924 (part)	2-10, 106-112, 125-128, and 133-140	R-4
6123 (part)	1, 2, 13-19, 59-66, 68-73, and 801	R-4
6157 (part)	52, 74, 806, 821, 834-836, and 838-844	R-4
6158 (part)	2-9, 64-79, 81-92, 805, 808, 809, and 810	R-4
6159 (all)	99, 112-122, 128, 129, 805-808, 810-813, 815-899, 932-991, and 993	R-4
6160 (all)	72-83, 86, 87, 89, 872, and 873	R-4